



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant: John Willis

Examiner: Lauture, Joseph

Serial No: 09/728,027

Art Group: 2819

Filing Date: 11/30/00

Docket No: SIG000064

Title: IMPROVED SWITCH CAPACITOR CIRCUIT AND APPLICATIONS THEREOF

RECEIVED

Date: 6/10/03

Honorable Commissioner of Patents and Trademarks,
Washington, D.C. 20231

OFFICE OF THE SPECIAL
PROGRAMS EXAMINER

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT PURSUANT TO 37
CFR 1.181 (a) BASED ON FAILURE TO RECEIVE AN OFFICE ACTION**

STATEMENT OF FACTS

1. The above referenced patent application was expressed and mailed to the USPTO on November 30, 2000.

2. The filing of the above referenced patent application was docketed in accordance with the then current docketing policy of the undersigned's firm and/or company. A copy of which is attached hereto as attachment "A".

3. On May 16, 2003, the undersigned received a telephone call from Examiner Lauture who informed the undersigned that a response to an office action having a mailing date of 4/1/2002 pertaining to the above referenced patent application was not received. The undersigned indicated that he was unaware that an office action had been mailed for the above referenced patent application.

4. On 5/21/03, a notice of abandonment was mailed to the undersigned.

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SHOWING OF NONRECEIPT OF AN OFFICE ACTION

1. The undersigned attests that a search of the file jacket and docketing records have been made and that the above mentioned office action of 4/1/2002 was not received by the undersigned.

2. A copy of the docketing record where the non-received Office action would have been entered had it been received and docket is attached hereto as attachment "B".

a. The docketing report shows, on the Patent Prosecution form, the first prosecution response received was the present notice of abandonment.

b. Had the office action been received, it would have been entered in the first row, where the action would have been "1ST office action response", the mailing date of the office action would be entered in the action initiation date, the action due date would be automatically calculated to be three months from the mailing date, and the action bar date would be automatically calculated to be six months from the mailing date.

c. Once a response to an outstanding office action is mailed, the mailing date of the response is entered into the action filed date field.

d. The database includes a script to determine all outstanding responses due on a per attorney basis and

on a firm basis. The script determines whether the current row of the patent prosecution form includes a date in the action initiation date and does not include a date in the action filed date. If this is true, the corresponding action appears in the prosecution report. Attached is a copy of my current prosecution report as attachment "C".

e. Since the above mentioned office action was not received, it was not entered into the patent prosecution form and thus would not appear on my prosecution report today or at any time in the past.

For the foregoing reasons, the applicant respectfully requests that the abandonment of the present patent application be withdrawn for failing to receive an office action.

RESPECTFULLY SUBMITTED,

By: 

Timothy W. Markison

Registration No. 33,534

Phone: (512) 342-0612

Fax No. (512) 342-1674

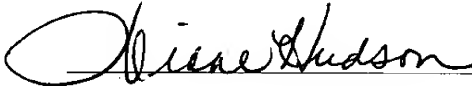
CERTIFICATE OF MAILING

37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, ~~Washington, DC 20231~~, on the date below:

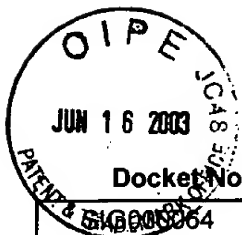
6-12-03

Date



Signature

P.O. Box 1450
Alexandria, VA 22313-1450



Pat nt Filing & Recording

ATTACHMENT "A"

Docket No	Client	Country	Status	application type	attorney
SIG000064	SigmaTel	US	Pending	Utility	TWM

appl title IMPROVED SWITCH CAPACITOR CIRCUIT AND APPLICATIONS THEREOF

U.S. Provisional Filing Information

prov S_N	prov filing date	prov post card date	prov filing receipt

U.S. or Foreign National Utility Filing Infomation

mailing date	11/30/2000	post card received	12/13/2000	related applications (docket #s)
filing date	11/30/2000	filing receipt rcvd	1/12/2001	
serial number	09/728,027	assignment received	3/13/2001	
pub S_N		US pub date		

PCT Filing Information

PCT filing date	PCT Application No.	PCT postcard received
Notice of Receipt of Search copy		Notice of Receipt of Priority Document
Notice of Receipt of Record Copy		Notice of Transmittal of Int. Search Report

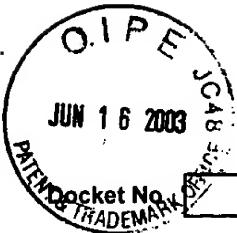
PCT Critical Dates

PCT Chapter II Demand Date	PCT Chapter II Demand filed	National Phase Date	National Phase Entered Date

Priority Application Information
(enter oldest one first)

Country	Appl Type	Appl S/N	Filing Date

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Patent Prosecution
ATTACHMENT "B"

Docket No. **SIG000064** Status **Pending** attorney **TWM** Client **SigmaTel**

country **US** filing date **11/30/2000** Client No **SIG_01**

appl title **IMPROVED SWITCH CAPACITOR CIRCUIT AND APPLICATIONS THEREOF**

Action	Action initiation date	Action due date	Action filed date	Action bar date	Action remarks
Notice of Abandonment	5/21/2003	6/1/2003		11/21/2003	ask Tim ???
	if other, enter due date 6/1/2003				
	and bar date				
	if other, enter due date				
	and bar date				
	if other, enter due date				
	and bar date				
	if other, enter due date				
	and bar date				
	if other, enter due date				
	and bar date				

Examiner appeal response rcvd Board Decision Date

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TWM Prosecution Report
6/9/2003

ATTACHMENT "C"

response
filed date

Report No	Client	Client No	Response Due	Response Due Date	Bar Date
BP1993	Broadcom	BC_01	file formal dwgs & pay issue fee	7/2/2003	8/2/2003
BP2525	Broadcom	BC_01	Provisional Conversion	11/2/2002	8/2/2003
BP1663	Broadcom	BC_01	file cip from 1668	3/15/2003	8/15/2003
BP1665	Broadcom	BC_01	file cip from 1668	3/15/2003	8/15/2003
BP2185	Broadcom	BC_01	missing parts response	5/17/2003	9/17/2003
BP2610	Broadcom	BC_01	Provisional Conversion	12/17/2002	9/17/2003
X-818	Xilinx	Xilinx_01	1st Office Action Response	6/18/2003	9/18/2003
BP2100	Broadcom	BC_01	2nd Office Action Response	7/1/2003	10/1/2003
SIG000017	SigmaTel	SIG_01	1st Office Action Response	7/2/2003	10/2/2003
BP2337	Broadcom	BC_01	correct drawings	6/9/2003	10/9/2003



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6/9/2003

response
filed date

Patent No	Client	Client No	Response Due	Response Due Date	Bar Date
BP2112.4	Broadcom	BC_01	missing parts response	6/10/2003	10/10/2003
SIG980204-1	SigmaTel	SIG_01	Petition to Revive	5/31/2003	10/14/2003
BP2186.1	Broadcom	BC_01	missing parts response	6/14/2003	10/14/2003
BP2184.1	Broadcom	BC_01	missing parts response	6/14/2003	10/14/2003
SIG99010	SigmaTel	SIG_01	1st Office Action Response	7/15/2003	10/15/2003
BP2112.5	Broadcom	BC_01	missing parts response	6/16/2003	10/16/2003
BP2184	Broadcom	BC_01	missing parts response	6/16/2003	10/16/2003
BP2186	Broadcom	BC_01	missing parts response	6/16/2003	10/16/2003
BP2610.1	Broadcom	BC_01	Provisional Conversion	1/18/2003	10/18/2003
SIG000050	SigmaTel	SIG_01	Final Office Action Response	6/22/2003	10/22/2003



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6/9/2003

response
filed date

Docket No	Client	Client No	Response Due	Response Due Date	Bar Date
BP1994	Broadcom	BC_01	Provisional Conversion	1/22/2003	10/22/2003
SIG970626-1	SigmaTel	SIG_01	First US Maint	5/2/2003	11/2/2003
BP1132CON	Broadcom	BC_01	Petition to Revive	7/5/2003	11/5/2003
SIG99009	SigmaTel	SIG_01	1st Office Action Response	8/6/2003	11/6/2003
SIG000049	SigmaTel	SIG_01	3rd Office Action Response	8/6/2003	11/6/2003
SIG981012	SigmaTel	SIG_01	Final Office Action Response	7/12/2003	11/12/2003
SIG980508	SigmaTel	SIG_01	1st Office Action Response	8/19/2003	11/19/2003
BP2099	Broadcom	BC_01	2nd Office Action Response	8/20/2003	11/20/2003
SIG000064	SigmaTel	SIG_01	Notice of Abandonment	6/1/2003	11/21/2003
SIG000082	SigmaTel	Sig_01	Provisional Conversion	3/1/2003	11/29/2003



TWM Prosecution Report
6/9/2003

response
filed date

	Client	Client No	Response Due	Response Due Date	Bar Date
BP2099DIV	Broadcom	BC_01	missing parts response	7/30/2003	11/30/2003
SIG99002	SigmaTel	SIG_01	2nd Office Action Response	9/3/2003	12/3/2003
VIXS021	Vixs	VIXS_01	Re-submit drawings with Declaration	8/4/2003	12/4/2003
BP1991CON	Broadcom	BC_01	missing parts response	8/4/2003	12/4/2003
BP2460	Broadcom	BC_01	Provisional Conversion	6/4/2003	3/4/2004
BP2461	Broadcom	BC_01	Provisional Conversion	6/4/2003	3/4/2004
SIG981102	SigmaTel	SIG_01	First US Maint	10/25/2003	4/25/2004
BP2759	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2760	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2871	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004



TWM Prosecution Report
6/9/2003

response
filed date

	Client	Client No	Response Due	Response Due Date	Bar Date
BP2872	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2891	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2892	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2893	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2894	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2896	Broadcom	BC_01	Provisional Conversion	7/25/2003	4/25/2004
BP2951	Broadcom	BC_01	Provisional Conversion	8/13/2003	5/13/2004
BP2754	Broadcom	BC_01	Provisional Conversion	8/28/2003	5/28/2004
BP2755	Broadcom	BC_01	Provisional Conversion	8/28/2003	5/28/2004